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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **Barbas III et al.**

Serial No.: 09/586,625

Filed: June 2, 2000

For: **LIGAND ACTIVATED TRANSCRIPTIONAL
REGULATOR PROTEINS**

Art Unit: 1646

Examiner: Murphy, J.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

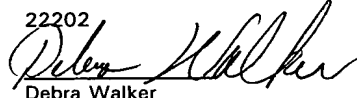
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Date of Deposit November 21, 2001

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 C.F.R. §1.10 on the date indicated above and addressed to:

U.S. Patent and Trademark Office, Box Non-Fee
Amendment, P.O. Box 2327, Arlington, VA
22202


Debra Walker

ELECTION AND PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

Responsive to the Requirement for Restriction, mailed September 11, 2001, applicant elects, without traverse, group I, claims 1-35, 37-46 and 69-73, directed to nucleic acid molecules, vectors, host cells and fusion proteins. Applicant further elects estrogen receptors as a species for searching purposes. Claims 1-35, 37-46 and 69-73 read on the elected species.

IN THE CLAIMS:

Please cancel claims 47-68 without prejudice or disclaimer.

REMARKS

Any fees that may be due in connection with filing this paper or with this application may be charged to Deposit Account No. 50-1213. If a Petition for Extension of time is needed, this paper is to be considered such Petition.

Claims 1-35, 37-46 and 69-73 are pending. Claims 47-68, which are non-elected, are cancelled herein. Applicant reserves the right to file a divisional application to the non-elected subject matter.

* * *

U.S.S.N. 09/586,625
BARBAS III *et al.*
ELECTION

In view of the remarks herein, examination of on the merits is respectfully requested.

Respectfully submitted,
HELLER EHRMAN WHITE & McAULIFFE LLP

By: _____

Stephanie Seidman
Registration No. 33,779

Attorney Docket No.: 22908-1227B
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TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

Transmitted herewith is a Response to the Office Action, mailed on September 11,
2001, for filing in connection with the above-referenced application.

Extension fee for response within second month:

(X) By a large entity \$400.00

- ☒ The Commissioner is hereby authorized to charge this fee and any fees, including
the fee for the extension of time, if the above noted amount is incorrect, that may
be due in connection with this and the attached papers or with this application
during its entire pendency to Deposit Account No. 50-1213. A duplicate of this
sheet is enclosed.

Respectfully submitted,
HELLER EHRMAN WHITE & McAULIFFE LLP

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By:

Stephanie Seidman
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Registration No. 33,779

Attorney Docket 22908-1227B
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